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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/512,425	02/24/2000	Susumu Kusakabe	SONY-T0280	5567

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EXAMINER

DASS, HARISH T

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/512,425

Applicant(s)

KUSAKABE ET AL.

Examiner

Harish T Dass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/10/2004 has been entered.

DETAILED ACTION

Claims 1, 5-9 are canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3, 10-12, 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Pitroda (US 5,884,271).

Re. Claim 10, Pitroda discloses a universal electronic transaction card ("UET card") for storing, transmitting and receiving personal, accounting and transactional information, to

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a UET card and read/write information, communications systems, and to an electronic transaction system which utilizes UET cards, where UET card is a pocket sized device, which includes a microprocessor, random access memory, a display, and input means, and is capable of storing personal information, storing cash value information, cash balance, review account information, record of transaction, serving as a credit card, perform bank transactions (deposit/withdrawal), and etc [See entire document particularly, Abstract; Figures 1-6, 16-17; C1 L4 to C8 L55], -- an information card (UET card) for storing electronic money data (retaining) and utilization-history data (record of transaction) relating to deposits or withdrawals of electronic money, and utilization of the information card [C3 L41-L46; C8 L4-L5], -- a plurality of electronic money terminals (ATM or POS) for withdrawing the money data from the information card, each of the electronic money terminals operatively reading the utilization-history data when said electronic money data is withdrawn (debits to the cash balance) from the information card for authorization for withdrawing the money data (preventing unauthorized access to the information stored in the memory such as money data, record (history data) or balance) [Fig. 19; C3 L41-L46; C4 L15-L41; C8 L4-L5; C14 L19-L60; C15 L1-L67] and electronic money management means for gathering the utilization-history data from the electronic money terminals so as to give the information of the utilization-history data to at least one of the other electronic money terminals [C1 L5-L67; C2 L42 to C3 L34; C10 L4-L40]

Re. Claim 3 Pitroda, discloses wherein when said utilization-history data (transaction information) of any of said plurality of electronic money terminals has been lost, said electronic money management means employs the utilization-history data from the other electronic money terminals [C3 L2-L49].

Re. Claim 11, Pitroda discloses a universal electronic transaction card ("UET card") for storing account information, crediting and debiting the account (credit or debit to cash balance stored on the card) [Abstract; C3 L41-L46], -- storing electronic money data and utilization-history data relating to deposits or withdrawals of electronic money and utilization of an information card on the information card [read entire document particularly, Abs; Fig. 1-2, 4, C2 L42-65; C8 L49-50], -- reading the utilization-history data when electronic money data is withdrawn from the information card at any one of a plurality of electronic money terminals for authorization for withdrawing the money data (preventing unauthorized access to the information stored in the memory such as money data, record (history data) or balance) [Fig. 19; C1 L36-L67; C3 L41-L46; C4 L15-L41; C8 L4-L5; C9 L49-L55; C14 L19-L60; C15 L1-L67], and gathering the utilization-history data from the electronic money terminals so as to give the information utilization-history data to at least one of the other electronic money terminals [C1 L5-L67; C2 L42 to C3 L34; C10 L4-L40].

Re. Claim 12, claim 12 is rejected with same rational as claim 3.

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Re. Claim 14, Pitroda discloses an information card adapted to be used in an electronic money system including a plurality of money terminals (ATM) for withdrawing money data from the information card and reading utilization-history data when electronic money data is withdrawn from the card, and an electronic money manager for gathering the utilization-history data from the electronic money terminals so as to give the information of utilization-history data to at least one of the other electronic money terminals, said information card comprising [Abs; C1 L1-L67; C2 L42 to C3 L34; C10 L4-L40] and storing means for storing electronic money data and the utilization-history data relating to deposits or withdrawals of electronic money and utilization of the information card for authorization for withdrawing the money data (preventing unauthorized access to the information stored in the memory such as money data, record (history data) or balance) at any of the money terminals [Fig. 19; C1 L36-L67; C3 L41-L46; C4 L15-L41; C8 L4-L5; C9 L49-L55; C14 L19-L60; C15 L1-L67; C2 L42-65; C8 L49-50].

Re. Claim 15, Pitroda discloses information card is an IC card (UET card)[C1 L7-L36].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 & 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda.

Re. Claims 4, Pitroda discloses an information card (a universal transaction card) and using it with ATM and POS terminals [C1 L1-L67; C10 L26-L40]. Pitroda, explicitly, does not disclose a comparison of the contents of the plural data of utilization-histories, which have been gathered from said respective electronic money terminals, and then performs tabulation in a manner such that the plural utilization-history data, which have coincided with each other at the comparison, are treated as one utilization-history data. However, in banking and accounting it is well known to consolidate, reconcile and audit accounts for accuracy and completeness. Further, credit, ATM, and/or debit cards are (is) used in different locations but the account statement includes all transactions. Therefore it would have been obvious to one ordinary skill in the art to modify disclosure of Pitroda and include tabulation and comparison of history data (transactions) to reconcile the account and eliminate duplicates and add missing transaction.

Re. Claim 13, claim 13 is rejected with same rationale as claim 4.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda, in view of Hurta et al (US 6,317,721).

Re. Claim 2, Pitroda (US 5,884,271) discloses an information card (a universal transaction card) for transmitting/receiving said money data to/from the plurality of

electronic money terminals [Abs; C1 L5-L67; C2 L42 to C3 L34]. Pitroda, explicitly, does not disclose non-contact type information card without any contact with the electronic money terminals. However, Hurta et al discloses smart card (IC card) and smartcard-based transponder and RF communication and wireless transaction (non-contact type) [Abs; Fig. 1; C2 L35-46; C5 L25 to C6 L31]. Thus, it would have been obvious to one ordinary skill in the art to modify and combine disclosures of Pitroda and Hurta et al to provide wireless transaction system to provide privacy as well as eliminate point-of-sale equipment [Hurta et al C2 L6-L23].

Response to Arguments

4. Applicant's arguments with respect to claims 2-4 and 10-15 have been considered but are moot in view of the new ground(s) of rejection. Additionally, In response to Applicant's argument that the reference does not disclose or suggest features for withdrawing money data, Pitroda discloses "the information stored, ... information relating to a cash balance which may be stored on the UET card, credits or debits to the cash balance ..." where debits to the cash balance means the account is withdrawn [C3 L41-L53] and display and print account and transactional information "The UET card includes display means for displaying information for a plurality of service institution accounts, including personal information, account information, and transactional information.", "selected transactional information may thereafter display on the universal electronic transaction card ..." [C3 L65 to C4 L1; C7 L48 to C8 L15; C13 L50-L45]; and In response to Applicant's argument UET is communicating to POS through interface

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CIU [C13 L1-11], CIU is an interface device similar to the ATM or POS card reader interfaced (internally) to ATM system, where in this case the UETC & CIU [figure 2] are physically not in the same enclosure. For example, PC keyboard is connected with PC through interface and laptop key is physically located on the laptop but connect internally to the motherboard both serve same function.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

US 6,029,887 to Furuhashi et al, Feb 29, 2000 "Electronic bankbook and processing system for financial transaction information using electronic bankbook", this invention discloses an electronic bankbook which combines on the same resin base board an IC card, an optical storage medium, and a magnetic stripe and embossing, and which has the functions of a money transfer card, a cash card, and a deposit account bankbook; and which further provides added value by combining these functions, in addition, the present invention also relates to a system which processes financial transaction information using an electronic bankbook.

US 6,085,168 to Mori et al, July 4, 2000 "Electronic commerce settlement system", discloses an IC card as information storage medium used in the transfer of provisional settlement money, where the general configuration of a provisional settlement money card (portable storage medium) applied to a terminal unit of a financial institution and the memory layout of an IC chip and a terminal unit of a financial institution comprises an operation control

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unit a communications control unit a storage disk an IC card reader/writer, a display (touch panel) and displaying receipt information.


US 4,839,504 to Nakano, June 13, 1989 "IC card system compatible with bank account system", discloses an IC card system which comprises an IC card device, IC (integrated circuit) chip, IC card reader/writer and functions such as off-line transactions, "deposit", "withdraw, or draw", "transfer", "remit", "balance inquiry", "print-out of transaction history", and the like can be performed in conjunction with an existing bank account system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T Dass whose telephone number is 703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on 703-308-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harish T Dass *HTD*
Examiner
Art Unit 3628
4/9/04


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